

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: BISON LAND & MINERALS LLC
DEBTOR**

**CASE NO. 23-01140-JAW
CHAPTER 11**

**IN RE: ENTEC SERVICES, LLC
DEBTOR**

**CASE NO. 23-01141-JAW
CHAPTER 11**

**IN RE: GEARY TRIGLETH
DEBTOR**

**CASE NO. 23-01504-JAW
CHAPTER 11**

**EMERGENCY¹ MOTION FOR
INJUNCTIVE RELIEF AND SANCTIONS AGAINST GEARY TRIGLETH**

Sparrow Oil & Gas LLC (“Sparrow”), Greg Pollard (“Pollard”), and Kiat “Kenny” Tze Goh (“Goh”) (together, the “Sparrow Creditors”) file this Emergency Motion for Injunctive Relief and Sanctions Against Geary Trigleth (the “Emergency Motion”) under 11 U.S.C. § 105(a). In light of, among other things, Geary Trigleth’s (“Trigleth”) recent outrageous and threatening communications to the Sparrow Creditors, the Sparrow Creditors request the Court enter an order:

- (a) restraining and enjoining Trigleth from (i) further communications that threaten and harass the Sparrow Creditors, and (ii) taking any action inimical to the safety and well-being of the Sparrow Creditors; and
- (b) sanctioning Trigleth for his vexatious, outrageous conduct, including by (i) immediately dismissing the above-captioned bankruptcy cases, and (ii) awarding the Sparrow Creditor’s their attorney’s fees and expenses for bringing this motion.

In support, the Sparrow Creditors show the following:

¹ The Sparrow Creditors intend to request an expedited hearing and will follow the procedures mandated under Miss. Bankr. L.R. 9013-1(f)(1), including by filing a separate motion to expedite a hearing on this Motion.

Facts

1. Tringleth is the managing member of Debtors Bison Land & Minerals, LLC (“Bison”) and EnTec Services, LLC (“EnTec”). Tringleth is also a debtor-in-possession in his individual bankruptcy case.

2. The Sparrow Creditors have filed motions to dismiss (the “Motions to Dismiss”) in each of the bankruptcy cases. Those Motions to Dismiss detail Tringleth’s outrageous conduct, both pre- and post-petition. And based on that conduct, it is clear that Tringleth filed for bankruptcy—and caused Bison and EnTec to file for bankruptcy—as a litigation tactic to spite the Sparrow Creditors.

3. Indeed, before and after the petition date, Tringleth sent a barrage of profanity-laced and shockingly offensive emails and text messages to the Sparrow Creditors and their attorneys over the course of several months that made his intentions clear. Some even flaunting the bankruptcy filing.

4. The Sparrow Creditors incorporate the facts and background set forth in the Motions to Dismiss here.

5. The Motions to Dismiss are set for hearing, beginning November 15, 2023.

6. But earlier this week, Tringleth escalated the outrageous nature of his communications. Tringleth’s latest barrage of messages to the Sparrow Creditors are horrifically beyond the pale, with insults and threats directed at the Sparrow Creditors, their families, and their counsel. Some threaten physical violence.² For example, Tringleth wrote Kenny Goh:

² Tringleth’s messages to Goh are attached as Exhibit A and messages to Pollard attached as Exhibit B.

Recourse is about to start its way into reality! Let the games begin!!!! I definitely wouldn't want to be you for many reasons but I know some of these rednecks you fucked over don't play that woke ass bullshit you represent and expect. See much of gigs country is not woke and there are men out there that takes matters at hand buckwheat!! Coming to your town soon!! I may even pay for their gas! They think that they can convince you to pay your bills. Not to sure how but that will be between you and them. Care if I send you a few of their phone numbers?

Go back where you came from buckwheat!!! May be the best in the end, much safer! You morons left owing millions of dollars to people and when I don't get them paid a few of them have said they will definitely pay your ass a visit!! Just a little advice to a moron!!! You don't treat people that way and expect compassion or respect. You totally disrespected them and a few of these boys I don't think you want some of. I'll make sure to forward your home address to your constituents you stiffed! And fucked over!! The best is yet to come motherfucker, BET THAT!!!'nnnn

I think you may want to change country clubs soon ass hole!! Fuck you and I am enjoying sticking all this up your monkey looking ass!' You will regret ever meeting me and ducking with me you fucking punk ass bitch!! Like you're even going to say or do anything buckwheat. Who you gonna call Ghost Busters??? You are not going to like what happens next I promise. But you and shit for brains are the only reason I'm doing what I am doing!! You stupid WOKE ass punk!! Fuck you, your mother and entire family motherfucker!! What ya gonna do kenny? Maybe go suck pollards Dick? FUCK YOU PUNK ASS BITCH! Put that on the internet and file it if record. I don't give a fuck as it doesn't affect me for a minute. I'm running this project up your ass bitch! You just remember what happens when you fuck with me. I shit guys like you every morning!! What you gonna do kenny call your attorney. Obvious to me he hasn't accomplished jack shit!! And won't! Believe that!!!!

7. On information and belief, Trigleth has begun sending harassing and potentially threatening emails to his prior counsel in these bankruptcy cases, as well as principals and/or counsel of other creditors.

8. Trigleth's continued harassment of his business partners in Bison clearly indicates he lacks the temperament, judgment, and business acuity to manage Bison and EnTec as debtors-in-possession. Trigleth's atrocious conduct also makes it clear he filed these bankruptcies, and is managing these debtors-in-possession, solely for his own goals—namely, to deprive the Sparrow

Creditors' of their equity interests in Bison and reap the future profits from Bison's valuable assets for himself.

9. Worse, Tringleth's latest messages raise concerns for the safety of others.

10. But Tringleth does not appear to care. In his view, he will never face consequences for his actions, flippantly advising Goh: "Put that on the internet and file it if [sic] record. I don't give a f**k as it doesn't affect me for a minute." *See* Exhibit A.

11. But enough of Tringleth's conduct is enough.

Argument

12. When Tringleth filed his individual case—and caused Bison and EnTec to file their cases—he voluntarily submitted himself, Bison, and Entec to this Court's jurisdiction. Tringleth's conduct is dangerous, outrageous, and antithetical to the Bankruptcy Code, which is to give well-meaning but unfortunate debtors a breathing spell to restructure their businesses and propose a method for paying creditors.

13. Under 11 U.S.C. § 105(a), "[t]he Court has the power to issue sanctions for improper conduct" *Texas Oil Res. Operating, LLC v. ACSI Holdings, LLC (In re Anloc, LLC)*, 2021 WL 5441076, at *2 (Bankr. S.D. Tex. Nov. 18, 2021). That power includes "authority to sanction in order to deter," as well as to "provide compensation for a wide range of improper conduct," including an award of attorney's fees and expense. *West v. Peterson (In re Noram Resources, Inc.)*, 2015 WL 5965654, at *5 n.4 (Bankr. S.D. Tex. Oct. 9, 2015).

14. Indeed, federal courts have inherent authority to sanction vexatious litigants that send harassing and threatening emails to opposing parties. *Petito v. Brewster*, 2008 WL 631326, at * (N.D. Tex. March 10, 2008) (sanctioning party that sent veiled, disguised threats of physical

harm and violence to other parties and their counsel). And the Court likewise has authority to enjoin vexatious litigants. *In re Anloc, LLC*, 2021 WL 5441076, at *2 (quoting *Matter of Carroll*, 850 F.3d 811, 815 (5th Cir. 2017)).

15. While the Sparrow Creditors' Motions to Dismiss are set for hearing in November, Trigleth's recent conduct justifies immediate attention. Trigleth's conduct has become so outrageous—and the consequences of his threats so serious—that the Sparrow Creditors request that the Court exercise its inherent authority and power under 11 U.S.C. § 105(a) to address and end Trigleth's conduct now. Specifically, the Sparrow Creditor's request the following:

16. **First**, the Sparrow Creditors request that the Court enter an order restraining and enjoining Trigleth from: (i) further communications that threaten and harass the Sparrow Creditors; and (ii) taking any action inimical to the safety and well-being of the Sparrow Creditors. *In re Anloc, LLC*, 2021 WL 5441076, at *2. The caselaw cited above demonstrates that this Court has the authority to enjoin Trigleth's conduct, who voluntarily submitted himself to this Court's jurisdiction.

17. **Second**, as a sanction, the Sparrow Creditors ask the Court to dismiss these bankruptcy cases. Trigleth's conduct is so outrageous that relief before the November 15 hearing is justified to address it. This Court should exercise its inherent authority and power under Section 105(a) to dismiss these cases now, which this Court may order *sua sponte* even without a request from a party in interest. *In re Odam*, 2019 WL 1752584, at *4 (Bankr. N.D. Tex. April 17, 2019) ("The Court possesses authority to dismiss [the debtor's] case without request from a party in interest, the trustee, or the debtor"); *Tennant v. Rojas (In re Tennant)*, 318 B.R. 860, 869 (B.A.P. 9th Cir. 2004) ("Section 105 (a) makes 'crystal clear' the court's power to act *sua sponte*

where no party in interest or the United States trustee has filed a motion to dismiss a bankruptcy case.”); *Little Creek Dev. Co. v. Commonwealth Mortg. Corp. (In re Little Creek Dev. Co.)*, 779 F.2d 1068, 1071 n.1 (5th Cir. 1986) (confirming the bankruptcy court’s authority to raise the issue of good faith *sua sponte*); *In re Metro. Realty Corp.*, 433 F.2d 676, 679 (5th Cir. 1970) (“As soon as the lack of good faith affirmatively appeared, the district court acted properly in dismissing the petition even though the plan stage had not been reached.”); *In re McMahan*, 481 B.R. 901, 915 (Bankr. S.D. Tex. 2012) (describing court’s authority to consider abuse in every case and issue any order necessary or appropriate to prevent abuse under § 105(a)).”

18. To the extent this Court enjoins Trigleth from harassing the Sparrow Creditors in the future, as requested above, but declines to dismiss these cases, the Sparrow Creditors alternatively request that the Court’s order on this Emergency Motion provide that, if Trigleth violates the injunctive provisions of that order, the cases will be immediately dismissed, without further notice or hearing.

19. **Third**, as an additional sanction, the Sparrow Creditors request that the Court order Trigleth to pay the Sparrow Creditor’s attorney’s fees and expenses for bringing this motion. *E.g. Petito v. Brewster*, 2008 WL 631326 (N.D. Tex. March 10, 2008) (sanctioning party that sent veiled, disguised threats of physical harm and violence to other parties and their counsel).

20. Given Trigleth’s flippant attitude concerning his conduct—quoted above and attached—it is clear that Court intervention is necessary and appropriate. It appears that only the harshest sanctions, such as dismissal and a monetary award against him, will be enough to deter Trigleth’s conduct moving forward and—hopefully—end it.

For these reasons, the Sparrow Creditors respectfully request that the Court enter an order: enter an order:

- (c) restraining and enjoining Tringleth from (i) further communications that threaten and harass the Sparrow Creditors, and (ii) taking any action inimical to the safety and well-being of the Sparrow Creditors; and
- (d) sanctioning Tringleth for his vexatious, outrageous conduct, including by (i) immediately dismissing the above-captioned bankruptcy cases, and (ii) awarding the Sparrow Creditor's their attorney's fees and expenses for bringing this motion.

Dated: September 21, 2023.

**SPARROW OIL & GAS LLC,
GREG POLLARD, AND
KIAT TZE GOH**

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CERTIFICATE OF SERVICE

Service provided via Notice of Electronic Filing through the Court's Electronic Filing System upon all parties signed up to receive such notices. Service also provided to the following parties by U.S. Mail:

Debtor Bison Land & Minerals, LLC
c/o Geary Tringleth
240 Buckhead Drive
Madison, MS 39110

Debtor EnTec Services, LLC
c/o Geary Tringleth
240 Buckhead Drive
Madison, MS 39110

Debtor Geary Tringleth
240 Buckhead Drive
Madison, MS 39110

Dated: September 21, 2023.

/s/ Timothy J. Anzenberger
Timothy J. Anzenberger